

PROVIDING THAT DISTINCTIVE MARK OR INSIGNIA SHALL NOT
BE REQUIRED IN THE UNIFORMS WORN BY MEMBERS OF THE
NATIONAL GUARD OF THE UNITED STATES

JUNE 22, 1951.—Committed to the Committee of the Whole House on the State
of the Union and ordered to be printed

Mr. BROOKS, from the Committee on Armed Services, submitted the
following

REPORT

[To accompany H. R. 4113]

The Committee on Armed Services, to whom was referred the bill (H. R. 4113) to amend section 125 of the National Defense Act to provide that distinctive mark or insignia shall not be required in the uniforms worn by members of the National Guard of the United States, both Army and Air, having considered the same, report favorably thereon without amendment and recommend that the bill do pass.

The purpose of the bill is to amend section 125 of the National Defense Act (39 Stat. 216) so as to eliminate the requirement that the uniforms of the National Guard display a distinctive mark or insignia.

The National Defense Act requires that uniforms worn by members of the National Guard include some distinctive mark or insignia to distinguish such uniforms from the uniforms of the United States Army, Navy, and Marine Corps.

In 1933, when an amendment was passed giving the dual status to the National Guard, this practice was more or less discontinued because of the dual status which the National Guard enjoyed, and the practice of wearing shoulder patches on the shoulder was considered desirable for identification.

It is felt desirable that this outmoded provision of the National Defense Act be amended in order to integrate more fully the Reserve components of the Armed Forces into the Regular services.

The bill will merely amend the law so that it will no longer be mandatory for the National Guard of the United States to wear a distinctive insignia.

The Bureau of the Budget interposes no objection to the legislation, and the Department of Defense favors enactment as is evidenced by the following letter from the Secretary of the Army on behalf of the Department of Defense.

DEPARTMENT OF THE ARMY,
Washington, D. C., June 4, 1951.

Hon. CARL VINSON,
*Chairman, Committee on Armed Services,
House of Representatives.*

DEAR MR. VINSON: Reference is made to your request to the Secretary of Defense for the views of the Department of Defense with respect to H. R. 4113, Eighty-second Congress, a bill to amend section 125 of the National Defense Act to provide that distinctive mark or insignia shall not be required in the uniforms worn by members of the National Guard of the United States, both Army and Air. The Secretary of Defense has delegated to this Department the responsibility for expressing the views of the Department of Defense thereon.

The Department of the Army on behalf of the Department of Defense favors the above-mentioned bill.

Section 125, National Defense Act, among other things, requires that the uniforms worn by members of the National Guard include some distinctive mark or insignia to distinguish such uniforms from the uniforms of the United States Army, Navy and Marine Corps. At the time when this law was enacted, 1916, it was considered necessary to distinguish between the uniform worn by the Regular Army and that worn by the National Guard. This differentiation was desirable since National Guard troops as distinguished from Federal troops were used to quell State domestic disturbances. Formerly, National Guard personnel wore a superimposed State abbreviation on their "U. S." insignia on their uniforms. In 1933 National Guard personnel became members of the National Guard of the United States and have since that date held dual status as members of a Reserve component of the Army of the United States. The requirement that National Guard members wear distinctive mark or insignia detracts from the concept that the National Guard as a Reserve component is an integral part of the Army of the United States. The wearing of divisional or other organizational patches should be sufficient identification of organization members whether from Guard, Reserve, or Regular component sources. For the reasons stated, the Department of the Army, on behalf of the Department of Defense recommends that the bill be enacted.

Enactment of the bill would not involve the expenditure of funds. A small savings would be effected by eliminating the procurement of distinctive insignia.

This report has been coordinated among the Departments and Boards of the Department of Defense in accordance with procedures prescribed by the Secretary of Defense.

The Bureau of the Budget has advised that there would be no objection to the submission of an identical report on S. 965, Eighty-second Congress, an identical bill.

Sincerely yours,

FRANK PACE, Jr.,
Secretary of the Army.

CHANGES IN EXISTING LAW

In compliance with clause 2a of rule XIII of the Rules of the House of Representatives, there is printed in parallel columns the text of provisions of existing laws which would be amended by the various provisions of the bill:

EXISTING LAW

(National Defense Act (39 Stat. 216))

SEC. 125. PROTECTION OF THE UNIFORM.—It shall be unlawful for any person not an officer or enlisted man of the United States Army, Navy, or Marine Corps, to wear the duly prescribed uniform of the United States Army, Navy, or Marine Corps, or any distinctive part of such uniform, or a uniform any part of which is similar to a distinctive part of the duly prescribed uniform of the United States Army, Navy, or Marine Corps: *Provided*, * * * *Provided further*, That the uniforms worn by officers or enlisted men of the National Guard, or by the members of the military societies or the instructors and members of the cadet corps referred to in the preceding proviso shall include some distinctive mark or insignia to be prescribed by the Secretary of War to distinguish such uniforms from the uniforms of the United States Army, Navy, and Marine Corps: *And provided further*, That the members of the military societies and the instructors and members of the cadet corps hereinbefore mentioned shall not wear the insignia of rank prescribed to be worn by officers of the United States Army, Navy, or Marine Corps, or any insignia of rank similar thereto.

Any person who offends against the provisions of this section shall, on conviction, be punished by a fine not exceeding \$300, or by imprisonment not exceeding six months, or by both such fine and imprisonment.

That section 125, National Defense Act (39 Stat. 216), as amended, be further amended by deleting after the word "by" in the second proviso the words "officers or enlisted men of the National Guard, or by."

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